

UNITED STATES DISTRICT COURT
COUNTY OFAttorneys: NESENOFF & MILTENBERG, LLP PH: 212-736-4500
Address: 363 SEVENTH AVE, 5TH FLR NEW YORK NY 10001 File No.:

INDEX #: 06 CV 13358

Date Filed: November 20, 2006

DISTRICT: SOUTHERN DISTRICT OF NEW YORK

GREAT WHITE BEAR LLC

vs

MERVYNS, LLC

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF CALIFORNIA, COUNTY OF ALAMEDA SS.: AFFIDAVIT OF SERVICE

WILLIAM C WAKEMAN JR, being duly sworn deposes and says:

Deponent is not a party herein, is over 18 years of age. On 12-7-2006 at 11:59 AM
at 223301 FOOTHILL RD., HAYWARD, CA 94541, deponent served the within

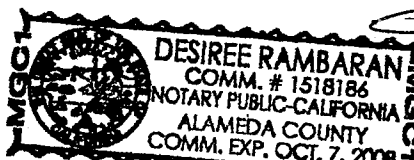
SUMMONS, COMPLAINT JURY DEMAND, CIVIL COVER SHEET, RULE 7.1 STATEMENT, INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE MAAS & INDIVIDUAL PRACTICES OF HON. RICHARD M. BERMAN & AMENDED COMPLAINT

on: MERVYNS, LLC, Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.#2 CORPORATION ☒ By delivering thereat a true copy of each to BOBBI KNOWLTON and that deponent knew the person so served to be the RECEPTIONIST/Authorized to of the corporation, and authorized to accept service on behalf of the corporation. ACCEPT SERVICE#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to a person of suitable age and discretion. Said premises is recipient's ☐ actual place of business ☐ dwelling house (usual place of abode) within the state.#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling house (place of abode) within the state.Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____#5 MAIL COPY ☐ On _____, deponent completed service under the last two sections by depositing a copy of the _____ to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of _____
☐ and by Certified Mail # _____#6 NON-SRVC ☐ After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: ☐ Unknown at Address ☐ Evading ☐ Moved left no forwarding ☐ Address does not exist ☐ Other: _____#7 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Female Color of skin: white Color of hair: black Age: 42 Height: 5' 11"
Weight: 240 Other Features: _____#8 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.#9 MILITARYSRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of _____ and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.#10 OTHER ☐ _____

Sworn to before me on 12-11-06

Desiree Rambaran



Please Print Name Below Signature

WILLIAM C WAKEMAN JR.

Invoice_Work Order # 06031437